

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

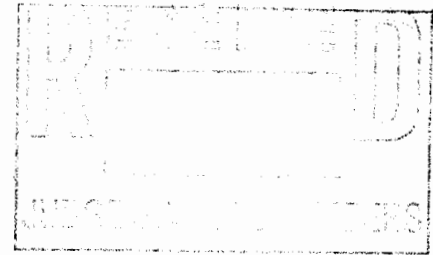
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SHARIF STINSON, et al., on Behalf of
Themselves and Other Similarly Situated,

Plaintiffs,

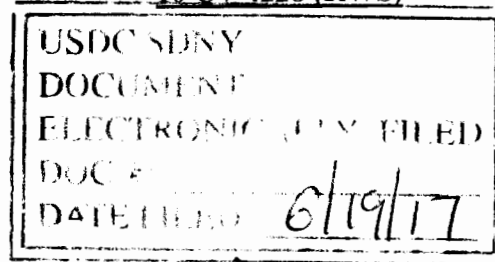
-against-

THE CITY OF NEW YORK, et al.,

Defendants.
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10 CV 4228 (RWS)



**FINAL ORDER AND JUDGMENT OF APPROVAL OF CLASS ACTION
SETTLEMENT**

WHEREAS, this matter comes before the Court on Plaintiffs' Unopposed Motion for Final Approval of the Proposed Class Settlement with all Defendants (the "Settlement") as memorialized in the Settlement Agreement, dated April 14, 2017, and upon entry of a Final Order and Judgment; and

WHEREAS, Plaintiffs and Defendants entered into the Agreement to settle this Class action on January 23, 2017; and

WHEREAS, on January 24, 2017, the Court entered an Order Granting Preliminarily Approval of Proposed Settlement, Approving Proposed Notice Plan, and Appointing Settlement Claims Administrator ("Preliminary Approval Order"); and

WHEREAS, in the paragraph 14(e) of the Preliminary Approval Order, the Court ordered that upon granting Plaintiff's Motion for Final Approval of the Settlement, the Court would issue a Final Order and Judgment; and,

WHEREAS, the Court held a Fairness Hearing on May 24, 2017 with all parties present and heard from the putative objectors; and,

WHEREAS, after having reviewing all of the final approval submissions, and having heard from all parties and objectors, the Court issued a Memorandum and Opinion on June 12, 2017 granting final approval of the Settlement, award of service payments to the Class Representatives, and attorneys' fees and expenses,

NOW THEREFORE,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Definitions. For purposes of this Order, the Court adopts by reference the definitions set forth in the "Definitions" section of the Settlement Agreement.
2. Certification of the Class. On April 23, 2012 the Court found that the requirements of Federal Rules of Civil Procedure 23 had been met, and certified the following Class under Federal Rules of Civil Procedure 23(b)(2) and (b)(3), which was incorporated into the Settlement Agreement:

the Class Representatives and all other individuals who were issued C Summonses by the NYPD that were later dismissed upon a judicial finding of facial or legal insufficiency by the court prior to trial, and whose C Summonses were issued without probable cause during the Class Period.

3. Notice. The Court finds that the Notice mailing was sufficient to comply with the requirements of Rule 23, and that the dissemination of the Notice as provided for in the Preliminary Approval Order constituted the most effective and practicable notice, under the circumstances, to all Settlement Class Members concerning the pendency of this action, the proposed Settlement, the claim form process and instructions, and the final fairness hearing, and constituted due and sufficient notice to all persons entitled to receive notice

required by due process and Rule 23(b)(2) and (b)(3) of the Federal Rules of Civil Procedure and any other applicable law.

4. Final Approval of the Agreement. The Court finds that the proposed Agreement is APPROVED as fair, reasonable and adequate, pursuant to Rule 23(e)(1)(C) of the Federal Rules of Civil Procedure. The Court further finds that each and every term, provision, condition and agreement of the Settlement Agreement, including all exhibits thereto, apply and are adopted, incorporated, and made part of this Judgment, as if copied herein in extensor, and shall be effective, implemented and enforced as provided in the Settlement Agreement.
5. Monetary Relief. Defendant the City of New York is required to deposit the full Settlement Benefits in the total amount of \$75,000,000.00 into an interest bearing account managed by the settlement administrator as fully set forth in the Settlement Agreement.
6. Compensatory Damages. The Court approves awards of compensatory damages for each eligible class members in amounts up to \$150.00 per eligible summons, subject to the terms of the Settlement Agreement. Any undistributed compensatory damages not used to pay administrative costs and expenses will revert back to the City.
7. Service Awards. The Court approves service awards of \$15,000.00 to each of the 10 Named Plaintiffs as set forth in the Settlement Agreement, which the Court approves for the reasons stated in the opinion approving the Settlement.

8. Appointments. The Court has previously appointed Rust Consulting act as the settlement administrator. Rust will continue to act as administrator throughout the claims process.
9. Jurisdiction. The Court finds that it has jurisdiction over the subject matter of the Action, the Settlement Class Representatives, the other Settlement Class Members, and the Defendants. Without affecting the finality of the Judgment, the Court reserves exclusive and continuing jurisdiction and venue with respect to the consummation, implementation, enforcement, construction, interpretation, performance and administration of the Agreement and/or Judgment.
10. Attorneys' Fees, Costs and Expenses. The Court awards to Settlement Class Counsel Attorneys' fees, costs and expenses in the amount of \$18,500,000.00, which the Court has found to be fair, adequate and reasonable. The amounts shall be paid out of the Settlement Benefits by the Claims Administrator in accordance with the Settlement Agreement.
11. Entry of Judgment. There being no just reason to delay entry of this Judgment, the Clerk of the Court is ordered to enter this Judgment forthwith, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

It is SO ORDERED this 19th day of June, 2017.



Honorable Robert W. Sweet
United States District Judge